

Minutes of the Board of Adjustment meeting held on Monday, September 19, 2011, at 5:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Preston Olsen, Chair
Rosi Haidenthaller
Joyce McStotts
Travis Nay
Tim Tingey, Administrative & Development Services Director
Chad Wilkinson, Community & Economic Development Manager
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Roger Ishino, Vice-Chair

The Staff Review meeting was held from 5:15 to 5:30 p.m. The Board of Adjustment members briefly reviewed the applications. An audio recording is available for review in the Community & Economic Development office.

Preston Olsen explained that variance requests are reviewed on their own merit and must be based on some type of hardship or unusual circumstance for the property and is based on state outlined criteria, and that financial issues are not considered a hardship.

APPROVAL OF MINUTES

Joyce McStotts made a motion to approve the minutes from June 13, 2011 as written. Rosi Haidenthaller seconded the motion.

A voice vote was made. The motion passed 4-0.

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

CASE #1434 – MURRAY HIGHMARK MEDICAL – 4906, 4916, 4926 & 4958 South Box Elder Street – Project #11-78

Mike Kerby was the applicant present to represent this request. Chad Wilkinson reviewed the location and request for a variance to the maximum number of surface parking stalls allowed in the Murray City Center District. The property is addressed 4906, 4916, 4926 and 4958 S. Box Elder Street. Murray City Code Section 17.170.140-Table A. provides standards for a minimum and maximum number of parking stalls for uses in the MCCD. The section allows the planning commission to approve parking in excess of the maximum standards of the ordinance provided the spaces are within a parking structure or within the building envelope. The applicant recently received approval of a Certificate of Appropriateness from the Planning Commission for a medical office building approximately 56,000 square feet in size. Based on the proposed building area of the use a total of 188 parking stalls is allowed under the maximum parking standards for the district. The applicant has proposed a total of 256 parking stalls which includes parking to the side and rear of the building along with a number of spaces located beneath and within the footprint of the building. The MCCD establishes a minimum and maximum number of parking spaces and requires that parking in excess of the maximums may be approved by the planning commission if the parking is within the building envelope or within a structure. The applicant proposed a landscape deck in

order to provide additional parking above the maximums. Subsequent to the Planning Commission approval the applicant has requested a variance in order to exceed the maximum number of surface parking spaces and to reduce the overall number of proposed spaces within the footprint of the building or within parking structures.

The purpose of the MCCD Ordinance is to reduce overall parking in the district in order to encourage a more efficient use of land in the area. Maximum parking standards can be exceeded if parking is provided within structures or in the footprint of the building. The circumstance of being located adjacent to the railroad tracks applies to several additional properties in the district and does not relate to the requested variance to maximum surface parking. Adjacency to rail does not prevent the construction of parking structures, or require that additional parking exceeding the maximums be provided. The need for the variance comes from a desire to provide additional surface parking on site and to avoid costs associated with providing parking within a structure or within the footprint of the building. The maximum surface parking standards apply to all properties within the zoning district. The city may help with the development of this project by way of tax increment for the infrastructure which is done through a Development Agreement between the developer and the city. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal does not meet the standards for a variance and recommends denial.

C. J. Kulp, architect from Architectural Nexus at 2505 East Parley's Way, Salt Lake City, stated that the intent of the ordinance has been met with this proposal. Specifically, the building is set to address the street frontage and the parking is hidden from Box Elder Street. The pedestrian deck would not hide nor make the parking more visible from Box Elder. This request has no impact on the overall land consumed by the parking. He stated, in his professional opinion, that the design does meet the intent of the ordinance by giving priority to the building and the frontages for the pedestrian using the sidewalk and locating the parking to the rear of the property.

Mike Kerby, 2180 Bear Hollow, Park City, stated he understands what staff is attempting to address by the recommendation. However, it is important to mention with regard to the 35 parking spaces that they are required to cover with the landscaping parking deck that they are meeting the intent of the city's ordinance. He stated the building has been designed so that the parking is on the back side of the project. He stated that this project is unique is that it is adjacent to the railroad tracks and has been under utilized for many years. Placing the parking to the back of the property up against the railroad tracks and is hidden by the building itself and is a better layout of the property. The 35 parking spaces are going in no matter what, and it is a matter of whether they have a very expensive pedestrian deck to cover them or not. He stated that from a developer's standpoint, it is a matter of \$1,000,000 to cover 35 parking spaces that will already be hidden from the pedestrian view and that \$1,000,000 will take funds away from the rest of the building. He clarified that the market drives more parking for medical uses and should be 4.5 to 5 stalls per 1,000 sq.ft. in order to get medical tenants and the first thing in discussing with potential medical tenants is adequate parking. He stated as this area develops, all the medical buildings will have the same difficulty of providing adequate parking for medical uses. He stated if this project were located further to the east, the sprawling parking lot effect would be less desirable, but the proposed design has the parking up against the railroad tracks and is shielded by the building itself and is a

unique situation. He stated the \$1,000,000 it would cost to cover the 35 parking stalls equates to \$25,000 per parking space and does not seem to be the intent of the city code to impose such a burden on a developer.

Rosi Haidenthaller asked Mr. Kerby if they have acquired additional property since this project began. Mr. Kerby responded that he has not acquired additional property since this application has been submitted and that the property is under contract.

Preston Olsen asked Mr. Kerby if they have factored in any available on-street parking that may be located along 4th or 5th Avenue that is still located within a 500 foot distance. Mr. Kerby responded that they can only count available on-street parking that is in front of their building.

Preston Olsen opened the meeting for public comment. No comments were made.

Rosi Haidenthaller clarified that the variance request is whether to allow the applicant to not cover the 35 parking stalls or not. Chad Wilkinson responded that the variance request would allow the applicants to have surface parking that exceeds the maximum allowed without being within a structure or in the footprint of the building. He stated the ordinance requires the parking to be within the structure or within the footprint of the building. The applicants solution to this requirement is to provide a parking/landscape deck that is part of the footprint of the building; and that the request is not a covered vs. uncovered parking per se and there will be 34 parking spaces provided in the building regardless. He stated the maximum number of stalls allowed for this development is 188. The request is a matter of whether there are 70 covered parking stalls or 35 covered parking stalls. The variance is required because those extra 35 stalls exceed the maximum allowed of surface parking.

Joyce McStotts asked if the parking structure was included in the Certificate of Appropriateness approval process. Mr. Wilkinson responded in the affirmative. He stated if the variance is approved the Certificate of Appropriateness will need to be amended. He stated there will be only landscaping on top of the parking structure.

Travis Nay commented that the difficulty with the all the issues is that the plans presented by the developer make sense in that they wish to hide the parking and wish to comply with the intent of the ordinance. The difficulty is that they are not complying with the ordinance and to get a variance from the Board the property has to be unique and the hardship has to relate to the criteria as outlined such a special circumstance related to the hardship, must deprive the property owner of privileges granted to other properties in the same district.

Travis Nay asked if the applicants considered using the top part of the parking deck to meet some of their needs and perhaps not develop part of the property or selling parts of the property off that front onto other streets. Mike Kerby responded that they have considered these options. He stated the landscaping deck is a cost of \$1,000,000; whereas a structured parking deck would be twice this cost and they are trying to keep the costs reasonable and maintain quality. He stated the variance requirements are that a hardship is associated with the property and in their point of view there is a hardship associated with the property in that it abuts the railroad tracks and is different than most other properties and this is an undesirable piece of property that really can't be used for

anything else. He stated they are attempting to meet the intent of the ordinance and also utilize an undesirable piece of property with parking and landscaping.

Joyce McStotts asked if the applicants have considered the tax increment financing (TIF) to help include a parking structure that would enable parking to be leased to future businesses. Mr. Kerby responded that they have not considered this option and that they are the first developer to develop within the new MCCD zoning district and the surrounding businesses have been developed under the old zoning district. Any existing parking does not charge and to start charging for parking would not be profitable but possibly in the future that may be an option as the area is developed. He stated the ordinance does not allow aluminum roofing over parking stalls to meet the ordinance and it must be part of the structure itself, which is why it's so expensive to build. He said that they have put a lot of effort into trying to meet this requirement and were able to get down to 35 spaces by utilizing the back portion of the property, but it is a cost of \$1 million to cover the spaces which are already shielded from public view which is why this variance is being requested.

Preston Olsen stated that the ordinance is difficult for buildings that require a lot of parking, and that creating parking contained within the footprint of the building can be a challenge. He said it is unfortunate in this case because right down the street is IMC and the Trax station with significant parking areas. He explained that the decision on the variance must be made based on the criteria that the property is unique and a hardship must be established. He said that he's not convinced that this case meets the criteria for a variance.

Joyce McStotts asked Mr. Wilkinson about TIF possibilities for the covered parking and what process needs to take place to obtain more information about this option. Mr. Wilkinson deferred to Tim Tingey, Director of the Redevelopment Agency of Murray to answer this question. Mr. Tingey stated that this property is located in the Central Business District redevelopment area which has been established for a number of years. He said that recently a 20-year extension of the area was requested and approved by the Taxing Entity Committee, which means that the RDA has the ability to work with developers to enhance projects through the use of TIF reimbursement. He said that a participation and development agreement would need to be executed by approval of the RDA board. Mr. Tingey stated that parking structures are a specific item that is named as a project that the RDA is interested in partnering on.

Mr. Olsen reiterated that economic factors cannot be taken into account when considering a variance. Ms. Haidenthaller referred to the statement by Mr. Kerby that it isn't common sense to require covered parking when there are other, less expensive options. She said that the Board is bound to follow the established criteria even though there are situations when they would like to make an exception.

Ms. McStotts made a motion to deny this variance request as the criteria has not been met. Seconded by Travis Nay.

Call vote recorded by Chad Wilkinson.

A _____ Ms. McStotts

A _____ Mr. Nay

A _____ Ms. Haidenthaller
A _____ Mr. Olsen

Motion passed 4-0.

Ms. Haidenthaller made a motion to accept the findings of fact as written. Seconded by Ms. McStotts.

A voice vote was made. Motion passed 4-0.

CASE #1435 – MICHAEL URBAN – 5893 S. Sanford Drive – Project #11-82

Michael Urban was the applicant present to represent this request. Chad Wilkinson reviewed the location and request for a side yard setback variance for a carport which has been constructed in the side yard at the property addressed 5893 South Sanford Drive. The property is located on the northeast corner of 5900 South and Sanford Drive and is within the R-1-8 zone. Murray City Code Section 17.100.080.B, C. requires a minimum 8-foot depth for one of the side yards of a residential dwelling and on a corner lot the code requires a 20-foot minimum side yard setback contiguous to a street. The applicants are requesting an 8 ft. side yard setback variance for a carport which has been constructed in the interior side yard without a permit. The plan shows there is a 21 foot setback on the corner lot side yard adjoining the street. It appears from other previous photos of the lot that there may have been an existing carport which was converted into a shop/storage. This situation was a result of a complaint from a neighboring property owner related to building of the structure not meeting the setback requirements. There appears to be other illegal carports and structures in the area which is not justification for approving variances and for which there will need to be code enforcement. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal does not meet the standards for a variance. Therefore, staff recommends denial.

Michael Urban, 5893 South Sanford Drive, stated there are a lot of other properties in the neighborhood that have carports. He stated there are two on his street that are right on the property line similar to his situation. He stated that it would be fair to enforce the regulations on the other property owners with similar situations.

Rosi Haidenthaller asked Mr. Urban if he has considered pouring a driveway or having a driveway to the rear yard and constructing a carport or garage in the rear yard area and that there appears to be ample room in the rear yard. She stated that cases similar to this application are difficult because just because a neighbor may have an existing structure people assume it to be legal where in fact it may not be a legal structure. And, many people do not obtain the proper building permits when constructing structures. She stated that fire safety and access become issues when structures are built on the property line or close to the property line. Mr. Urban responded that the carport is not an enclosed building.

Sue Urban, 5893 South Sanford Drive, stated the driveway is narrow and if a car caught on fire it wouldn't make a difference if it were underneath the carport or not. She stated that she has spoken with their adjacent property owner who indicated that they are not opposed to the carport location. Ms. Haidenthaller responded that there are various

reasons for setbacks and fire safety and access are some of those reasons. Aesthetics are another reason for setbacks.

Joyce McStotts commented that variances remain with the property itself and not the owner of the property and if the Urban's neighbor were to move, a new neighbor may not be in favor of the carport being constructed as close to the property line.

Sue Urban stated there is not protected parking on their property and a carport helps with the resale and value of the home.

Preston Olsen asked Ms. Urban how long they have owned the property. Sue Urban responded they have lived in their home for 7 years. Mr. Olsen commented that it appears that there used to be a carport or garage on the property that has been enclosed. Sue Urban responded it was enclosed when they purchased the property and what appears to have been a garage in the past is their workshop/storage room.

Michael Urban stated that if they were required to remove the carport and remove the concrete, it would cost more than building a garage plus the cost of the garage. Travis Nay responded that unfortunately, financial costs cannot be considered as part of a hardship for granting of a variance based on state law.

Sue Urban stated that when their elderly parents come to visit it is nice to have them park under the carport and don't have to clean off the snow and have a place to park their car that is protected. Joyce McStotts responded that unfortunately, health issues cannot be considered as part of a hardship or granting of a variance based on state law.

Sue Urban commented that they would greatly appreciate being able to keep the carport.

No comments were made by the public.

Travis Nay stated this is a difficult request in that there are multiple properties with similar situations in the neighborhood and area that appear to have been constructed without a permit.

Rosi Haidenthaller commented that one of the hardships associated with this request is that they are a corner lot and the applicants are unable to utilize the 20 feet on the opposite of the home. However, that is one of the difficulties of having a corner of lot.

Preston Olsen commented that these issues are difficult we all drive around our neighborhoods and see carports that are built across the property and are obviously done without a permit. Unfortunately, in order for the Board to grant a variance the criteria must be met as outlined by the state. The burden of the applicant is to demonstrate some type of hardship or uniqueness that makes it impossible to comply with the regulations.

Sue Urban commented because of the corner situation and where the home is placed on the lot, there is no other place in order to have the carport. In order for them to have a carport in the rear yard, they would have to drive through the narrow side yard where the carport currently exists to access a carport in the rear yard. She stated they prefer not

having their cars in the back yard where their children play. There is some cement in the rear yard but that is for a patio and not regular driveway cement.

Rosi Haidenthaller commented that it may be a greater expense to extend the existing driveway to locate a carport in the rear yard and probably not preferable to the applicants. Unfortunately, there are dozens of homes with similar narrow driveways on the side of the property and this was how the homes were built many years ago.

Rosi Haidenthaller made a motion to deny the variance as requested because there appears to be no special circumstances associated with this property and the hardships that are common to many other property owners. She stated that she personally does not park her cars under covered parking and she scrapes her windows every winter. Seconded by Travis Nay.

Call vote recorded by Chad Wilkinson.

A _____ Ms. McStotts
A _____ Mr. Nay
A _____ Ms. Haidenthaller
A _____ Mr. Olsen

Motion passed 4-0.

Ms. McStotts made a motion to accept the findings of fact as written. Seconded by Ms. Haidenthaller.

A voice vote was made. Motion passed 4-0.

CASE #1436 – MINI OF MURRAY – 4767 South State Street – Project #11-83

Dave Clark and John Firmage were the applicants present to represent this request. Chad Wilkinson reviewed the location and request. Representatives of Mini of Murray are requesting a driveway setback and landscaping variances for the property addressed 4767 South State Street. Murray City Code Section 17.72.100.C.1.2. states that each driveway shall not be less than 25 ft. measured at right angles to the driveway. For commercial driveways, no driveway shall be closer to a side yard property line than 5 feet unless a reciprocal easement is provided to share driveways by users of adjacent lots. Murray City Code Section 17.160.100 States that 10 ft. depth of landscaping shall be required along all frontage areas not occupied by drive accesses. The planning commission reviewed and approved a Conditional Use Permit for a new car dealership in the C-D-C zoning district on June 2, 2011. The conditions of approval require compliance to code with landscaping and the drive access. The applicant has subsequently submitted a request for a variance to decrease the driveway setback and landscaping requirement along the State Street frontage. The new driveway for Mini of Murray is located at the north side of the new building and will require UDOT approval. With the location of the proposed building addition, the driveway shown on the plan does not meet the required setback and the 5 ft wide strip of landscaping behind the sidewalk. The applicant previously planned to have a shared driveway with the property to the north, and a building permit applied for with this scenario. However the applicant has now changed plans to have a one-way driveway on north side of the building. The

applicant is now requesting a two-way driveway with a driveway setback of 3 ft. and 3 ft. wide landscaping strip. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal does not meet the standards for a variance. Therefore, staff recommends denial.

Rosi Haidenthaller asked the length of the driveway. Mr. Wilkinson responded the landscaping depth is 10 feet.

Joyce McStotts asked which direction the one-way driveway was approved. Mr. Wilkinson responded that the one-way driveway was for ingress into the property. Dave Clark, 4735 South State Street, stated this is a unique situation. He stated their business has been in Murray since 1974 with the BMW dealership. He stated this parcel of property requires that they tie into the existing building. Inside the building there are six service bays. They cannot build to the south for the driveway because they are land locked to get into the service bay and driveway. On the back of the property there were two homes that were recently demolished to accommodate parking and landscaping. He stated for 2 feet, it would require that all vehicles must access onto Brown Street rather than State Street. He stated they have worked diligently with their store for neighborhood relations. Back in the 1970's, 1980's and 1990's when they made applications before the planning commission, the council chambers were packed with neighbors protesting their applications. That does not happen any longer because they have worked with the neighbors. He stated if the vehicles are required to exit onto Brown Street rather than State Street, it will be unfair to those neighbors and the neighbors will be unhappy with that situation. He stated that for a 2 foot wide strip of property it seems unreasonable to place the burden onto the residential neighborhood by having to exit vehicle onto Brown Street as opposed to exit onto State Street.

Joyce McStotts commented that traffic is already being accessed onto Brown Street by this business. Mr. Clark responded that any existing traffic onto Brown Street is limited and they desire to minimize the amount of traffic that accesses onto Brown Street. He stated that their test drives access onto State Street and comes back from State Street. He clarified that if they are limited with access onto State Street, all their demos will be set on the east end of the property and will access onto Brown Street, over to 4800 South, to State Street. Mr. Clark stated they are bringing the Mini business which is currently at the fire station building to this location.

Preston Olsen asked if they anticipate using the south driveway. Mr. Clark responded the south driveway will be their service entrance and it is not possible for them to use that exit back onto State Street. He stated if they could have purchased the Hub Cap Tony's property, they would have more room to maneuver vehicles around, but they were not able to purchase the Hub Cap Tony property. He stated they have the approval for a one-way ingress into the property from State Street, but ideally a two-way traffic drive access is a much better situation but the two foot width variance is necessary for that to occur.

Preston Olsen asked Mr. Clark how many test drives they average on a typical day. Mr. Clark responded the Mini business has 15-20 test drives average per day; plus 100-150 service and retail customers. He stated their customers do not access Brown Street.

Joyce McStotts asked who the neighbor to the north is. Mr. Clark responded the neighbor to the north is Big O Tire, but the problem with that scenario would also require a variance and would have reduced the Big O Tire parking. He stated that the Big O Tire business does not have landscaping on their property and is a nonconforming property.

John Firmage, property owner, stated the structure is an existing building which they have attempted to maneuver the buildings footprint. He stated that this variance is a public safety issue to him and is a neighborhood nuisance issue that is unique. He stated that traffic flow for a car dealership is very unique and to have congestion points is the last thing he wants to do on State Street when people are attempting to get in and out of the dealership and forcing the traffic to Brown Street would create a nuisance factor. He stated they have worked diligently over the years to ensure that neighbor relationship. He stated that Mini USA gave them strict guidelines and this variance request has no economic impact to them and is completely a public safety issue to allow egress onto State Street. He stated that the two foot out of ten foot area relates directly to a public safety issue.

Rosi Haidenthaller asked Mr. Firmage if they have considered making the building two feet shorter and then a variance would not be necessary. Mr. Firmage responded that Mini USA was not going to approve this site originally and this dealership is the smallest showroom that Mini USA would allow for a new dealership. Their goal is to keep this dealership in Murray and have the ability to do so, but Mini of USA created very strict guidelines. He stated given the existing service drive, they couldn't move going further south in order to gain an additional two feet. Mr. Clark stated that they have exhausted any and all options for bringing the property into compliance given the existing property, building location and driveway locations.

Travis Nay asked about the landscaping.

Blake Luther, architect, stated he has been working with the planning staff regarding the landscaping and it will be a combination of ground covers and shrubbery and that trees would not survive given the small landscaping area. He stated that Phil Roberts, Fire Marshal for Murray City, has been very helpful in working with them in locating their fire line and fire sprinklers. Mr. Luther stated that Mr. Roberts indicated to him that he and UDOT would prefer a wider drive access for vehicle ingress and egress. He stated due to the alignment of the existing bay, relocating the drive access would not be possible and would create a confusing traffic circulation.

Chad Wilkinson explained that the remainder of the property will meet the landscaping requirements and has been nicely designed.

Travis Nay commented that if this business averages 150 cars per day, may average 15 cars per hour. Mr. Clark responded that the traffic congestion varies and at times they may have 20 customers per hour and other times will be much less.

Preston Olsen commented that the applicants have presented a good case and it makes sense to have a two-way drive access rather than require an additional 2 feet of landscaping if it meets the criteria for granting a variance.

Travis Nay stated that as he has driven up and down State Street, there isn't much landscaping and there are many older properties that are nonconforming with regards to landscaping in this area.

Dave Clark stated this property is unique due to the fact that there aren't many other businesses along State Street in Murray that extend from State Street back into a residential area. He stated they have been able to maintain relationships with the residential neighborhood for many years and wish to continue that relationship.

Preston Olsen asked for public comment. No public comments were made.

Tim Tingey, Administrative Development Services Director, stated that whatever decision the Board makes, must be based on the standards and if there are unique circumstances or hardships associated with this property. He stated that things that could be considered are related to the site such as those indicated by Mr. Clark such as circulation and site constraints that are different than other properties and that this property extends into a residential neighborhood.

Preston Olsen asked about the possibility of sharing the drive access with the adjacent tire store. Mr. Tingey responded that if a shared drive access were done with the tire business, the landscaping would still be required; however it would eliminate some parking for the tire store and would then create a hardship for the tire store.

Joyce McStotts clarified that the landscaping request is 2 feet wide for a depth of 10 feet down the side of the driveway. Mr. Wilkinson concurred.

Mr. Olsen asked about the fencing along the frontage. He stated the applicants may be denied use of their property if they are not allowed to access State Street and would be unreasonable to require them to access onto Brown Street which is a residential neighborhood. Mr. Wilkinson responded that fencing along the frontage is not required.

Rosi Haidenthaller expressed concern with trying to control public who may be accessing the property from Brown Street rather than State Street and even if signs were installed indicated one-way traffic, the reality of it is that customers probably would not do so and it would create a traffic congestive situation and most people will exit onto State Street regardless if it is allowed or not.

Rosi Haidenthaller made a motion to grant the variance based on the following: A- The unreasonable hardship is based on the applicants have made sufficient attempts to locate the building somewhere else. They have had corporate guidelines that have prevented them from doing so. The fact that they are adding onto an existing building and associated constraints; B- The special circumstances are the way the property is located near the residential area and having to require all the business traffic access onto Brown Street. Also the congestion and safety issues and the fire marshal preferring a wider drive access; C- Granting the variance is essential to the enjoyment of the property and the difference between a 3 foot and a 5 foot landscaping seems to be extreme as opposed to requiring the property to have a one-way traffic drive access rather than a two-way drive access; D- The variance would not substantially affect the general plan and be contrary to public interest. Any kind of beautification and landscaping improvement is an improvement whether its 3 feet or 5 feet wide; E- The

spirit of the ordinance is observed and justice is done. By adding the landscaping strip does improve the appearance and denying the variance would create a safety issue due to one-way traffic flow as opposed to having two-way traffic flow and potential congestion. She stated that increased traffic flow and less traffic congestion are more important than having 2 additional feet of landscaping. The motion was seconded by Travis Nay.

Call vote recorded by Chad Wilkinson.

A Ms. Haidenthaller

A Mr. Nay

A Ms. McStotts

A Mr. Olsen

Motion passed 4-0.

Ms. McStotts made a motion to accept the amended Findings of Fact based on the minutes and motion of this application meeting the five criteria for granting a variance. Seconded by Ms. Haidenthaller.

A voice vote was made. Motion passed 4-0.

Meeting adjourned.

Chad Wilkinson, Manager
Community & Economic Development